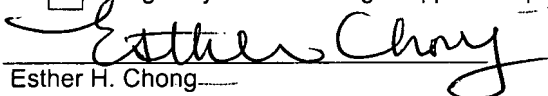




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AMENDMENT TRANSMITTAL LETTER				Docket No. 2658-0283P	
Application No. 10/028,305-Conf. #2901		Filing Date December 28, 2001		Examiner T. L. Rude	
				Art Unit 2871	
Applicant(s): Gee Sung CHAE et al.					
Invention: LIQUID CRYSTAL DISPLAY DEVICE AND FABRICATING METHOD THEREOF					
<b>MS Amendment</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450  Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	17	- 20 =	0	x 50.00	0.00
Independent Claims	3	- 3 =	0	x 210.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>02-2448</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Esther H. Chong Attorney Reg. No.: 40,953				Dated: <u>OCT 26 2007</u>	
BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 Gatehouse Road Suite 100 East P.O. Box 747 Falls Church, Virginia 22040-0747 (703) 205-8000					



Docket No.: 2658-0283P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gee CHAE et al.

Application No.: 10/028,305

Confirmation No.: 2901

Filed: December 28, 2001

Art Unit: 2871

For: LIQUID CRYSTAL DISPLAY DEVICE AND  
FABRICATING METHOD THEREOF

Examiner: T. L. Rude

**REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

These remarks are in response to the Notice of Non-Compliant Amendment, dated  
September 26, 2007.

**REMARKS**

Applicants have prepared a Corrected Amendment, which is being filed on even date herewith, in response to this Notice of Non-Compliant Amendment. The Corrected Amendment contains amendments of claims 1 and 8 discussed by telephone on October 18, 2007 with Examiner Rude. During that interview, the Examiner indicated that the content of the Notice of Non-Compliant Amendment should have been prepared and presented as an attachment to a Form PTOL-90.

However, because the position of the Examiner is stated in a Notice of Non-Compliant Amendment, which allows Applicants to file a corrected Amendment within one month from the date of the Notice, Applicants are filing a Corrected Amendment within that time period.

Turning to the merits of the continuation sheet attached to the notice of Non-Compliant Amendment, Applicants respectfully submit that the amendments to the claims are directed to the same invention that was placed in issue when the Application was filed, and has been consistently in issue throughout the prosecution of this Application. As indicated on page 8 of the Amendment filed on June 13, 2007, and in the corrected Amendment, claim 1 has been amended to be consistent with the originally filed specification (and claims). Applicants have consistently been prosecuting the disclosed invention throughout the prosecution history of this Application.

Moreover, because there have been no restriction requirements, including election of species requirements, throughout the prosecution history of this Application, this is abundantly

clear. Further in this regard, the separation region is clearly recited in claim 8, and is clearly recited in amended claim 1, which changes "layer" to - - edge - - to be consistent with claim 8.

Reconsideration and withdrawal of the Notice of Non-Compliant Amendment are respectfully requested.

### **CONCLUSION**

Applicants respectfully request that the Examiner reconsider all presently outstanding rejections based on the Corrected Amendment filed on even date herewith, and withdraw the Notice of Non-Compliant Amendment. It is believed that a full and complete response has been made to the Notice of Non-Compliant Amendment, and that the Corrected Amendment places the Application in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 46,472, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

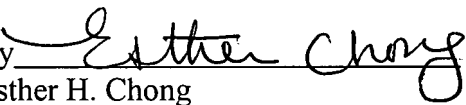
Application No.: 10/028,305  
Art Unit: 2871

Docket No.: 2658-0283P  
Reply to Notice of Non-Compliant Amendment  
Page 4 of 4

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 26, 2007

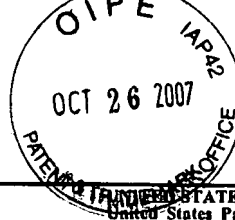
Respectfully submitted,

By   
Esther H. Chong  
Registration No.: 40,953  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd.  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicants

Attachments : Corrected  
Amendment



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

230119

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,305	12/28/2001	Gee Sung Chae	2658-0283P	2901
2292 7590 09/26/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER RUDE, TIMOTHY L	
			ART UNIT 2871	PAPER NUMBER
			NOTIFICATION DATE 09/26/2007	DELIVERY MODE ELECTRONIC

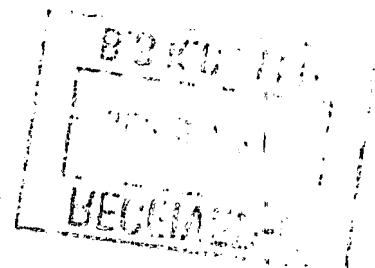
Please find below and/or attached an Office communication concerning this application or proceeding.

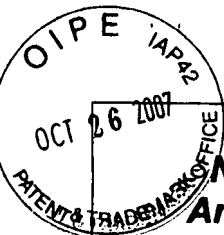
The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

DOCKETED  
response  
10-26-07





**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/028,305

Examiner

Timothy L. Rude

Applicant(s)

SUNG CHAE ET AL.

Art Unit

2871

**— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —**

The amendment document filed on 13 June 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Patent Examiner

*T.L. Rude* 9/17/07

571-272-2301

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 4(e) Other: Applicant's proposed amendments to all the independent claims do not overcome the objection mailed 13 June 2007. Applicant has elected the species of invention wherein the separation region is defined by the defined outer edge of the first metal layer being lined up with the defined outer edge of the second semiconductor layer. Since Applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Applicant may not switch to an alternate species having any other defined separation region(s). The amendment filed on 13 June 2007 amends all the independent claims thereby presenting only claims drawn to a non-elected species is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because Applicant may further refine "the separation region", but may not switch to an alternate species of separation region(s). Applicant is encouraged to make much more clear what is actually claimed by "the separation region", both by claim amendment and arguments. Furthermore, up to this point in prosecution, the device structure and the method of making steps are sufficiently obvious over one another to examine in the same Application; should Applicant's amendments cause method claims to substantially deviate from the device claims such that they are no longer considered obvious over one another, a restriction will likely be required.